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Summary record of the 28th meeting
Held at Headquarters, New York, on Monday, 29 November 2004, at 10 a.m.

Chairman: Mr. MacKay ..... (New Zealand)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Kuznetsov

Contents

Agenda item 106: financial reports and audited financial statements, and reports of the board of Auditors (*continued*)

Agenda item 108: Programme budget for the biennium 2004-2005 (*continued*)

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council: United Nations advance team in the Sudan (*continued*)

Agenda item 120: Administration of justice at the United Nations (*continued*)

Organization of work

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04-62559 (E)

The meeting was called to order at 10.20 a.m.

Agenda item 106: Financial reports and audited financial statements, and reports of the Board of Auditors (*continued*)

Draft resolution A/C.5/59/L.11

1. *Draft resolution A/C.5/59/L.11 was adopted.*

Agenda item 108: Programme budget for the biennium 2004-2005 (*continued*)

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council: United Nations advance team in the Sudan (*continued*)

Draft resolution A/C.5/59/L.12

2. **Mr. Kozaki** (Japan) said that, according to his delegation's understanding, the Secretariat was to have made a statement containing relevant information in the context of the programme budget for the biennium 2004-2005.

3. **Ms. van Buerle** (Office of Programme Planning, Budget and Accounts) said that, during the informal consultations on the item, such a suggestion had indeed been made by one delegation. With regard to the budget for special political missions in 2005, it had been stated that, if the Security Council made a decision on the Sudan, provision would be made in the programme budget. Since that decision had been made, the draft resolution provided for resources for the continuation of the Sudan mission up to the end of March 2005. The budget for special political missions currently under consideration by the Advisory Committee on Administrative and Budgetary Questions (ACABQ) (whose report was due to be released within the following week) would contain details of requirements for all the 25 special political missions continuing into 2005.

4. *Draft resolution A/C.5/59/L.12 was adopted.*

Agenda item 120: Administration of justice at the United Nations (*continued*) (A/58/300 and A/58/680), (A/59/70, A/59/78, A/59/408, A/59/414 and A/59/449; A/C.5/59/12)

5. **The Chairman**, in accordance with General Assembly resolution 35/213 and in accordance with the decision taken by the Bureau, invited the President of the United Nations Staff Union to address the Committee.

6. **Ms. Waters** (President of the United Nations Staff Union) said that, in view of the fact that the United Nations staff freely gave up their right to invoke national systems of justice, Member States had an obligation to ensure that staff rights were protected and that, when such rights were violated, the recourse procedure was fair and efficient. As indicated in the note by the Secretary-General transmitting the views of other staff representatives (A/C.5/59/4), the justice system of the United Nations was dysfunctional: it could take several years for a case to be heard by the Joint Appeals Board and several more to reach the United Nations Administrative Tribunal. Although the staff representatives supported the recommendations contained in the report of the Office of Internal Oversight Services (OIOS) on the management review of the appeals process at the United Nations (A/59/408), which had been the subject of staff representations to the Administration for the past 10 years, a complete overhaul of the justice system, in which there had been a steady decline, was essential.

7. Four of the conclusions contained in the report had been discussed at the twenty-fifth and twenty-sixth sessions of the Staff-Management Coordination Committee (SMCC). The staff representatives had maintained that managers who did not respond to requests for information by the Administrative Law Unit should be disciplined, since justice delayed was justice denied. Staff representatives had also requested that a three month time limit should be imposed for the proceedings of the panel of Counsel. They had also finally convinced the Administration to allow staff members to use external lawyers before the Joint Appeals Board, thus rectifying the unequal situation in which managers were represented by the Organization's legal machinery, while appellants had to rely on volunteer advocates. An SMCC working group on internal justice, held early in 2001, comprising staff and management representatives from all levels of the justice system, had recommended that the Joint Appeals Board/Joint Disciplinary Committee secretariat should be removed from the Department of Management and placed in an organizational structure that would ensure a separation of the lines of

responsibility between management and the administration of justice. It was ironic that that proposal appeared in the OIOS report under consideration, although it had been rejected by the Administration at the time.

8. The staff representatives did not agree that reforms should be implemented only after staffing shortages had been addressed and the backlog had been eliminated. On the contrary, they believed that, if the Administration tackled the question of internal justice, way would be found to deal with the backlog in a timely manner. The staff representatives supported the proposed amendment to the Staff Rules whereby the Secretary-General would approve an appellant's access to the Administrative Tribunal, should the Administration opt for silence as respondent. The rule should be amended immediately. In most cases, the action of the Joint Appeals Board merely delayed justice for the staff, since it only made recommendations. Rather than attempting to defend cases that were clearly indefensible, the Organization should either settle them immediately or allow them to proceed direct to the Administrative Tribunal.

9. Following the adoption of General Assembly resolution 57/307, which requested the Secretary-General, "in consultation with the Ombudsman and staff representatives, to submit detailed proposals on the role and work of the Panel on Discrimination and Other Grievances for consideration by the General Assembly at its fifty-eighth session", the staff representatives had submitted a proposal on their own initiative, yet no attempt had been made by the management to consult on the issue. The Panels had not received the full support of the administration for a variety of valid reasons. Rather than providing support, however, the Administration had chosen to ignore them. They could be abolished only by the General Assembly, which had established the first one in 1977. The best course would be to restructure the Panels so that they enjoyed the confidence of both staff and management. Staff representatives were willing to work out the details of any such restructuring.

10. In the interests of reforming the justice system, she urged the Committee to consider the following proposals: that no further human resources management reforms should be adopted until immediate action was taken to reconstruct the justice system, thus counter-balancing the current lack of accountability measures; that the Administration should undertake a review, in consultation with staff representatives, to determine the cause of the growing number of cases filed for administrative review or with the Joint Appeals Board; that the practice of simply circulating the results of Administrative Tribunal cases should be replaced by a process of jointly reviewing lessons learned in order to identify areas where incorrect decisions had been taken; and that the Board should exercise its powers to conciliate more often so as to avoid protracted litigation, which was demoralizing for staff members and costly for the Administration.

11. She also urged the Committee to recommend a review of other, similar, justice systems to determine whether they might not be appropriate for the Organization. The Grievance Committee of the International Monetary Fund, for example — the equivalent of the United Nation Joint Appeals Board — was chaired by experienced labour management arbitrators. Moreover, since its establishment in 1980, all its decisions had been made unanimously and the Fund's Managing Director had accepted all its recommendations.

12. Lastly, in the interests of enhancing the internal justice system, in accordance with paragraph 16 of General Assembly resolution 57/307, the Staff Union had embarked on the process of identifying qualified legal professionals, with experience in the United Nations system, to form a consulting group. The Union planned to provide retainers for the professionals concerned in exchange for their accepting cases at a significantly reduced rate for United Nations staff. It was hoped that the staff would thus begin to obtain the type of individual attention that their cases merited.

13. **Mr. Al-Ansari** (Qatar), speaking on behalf of the Group of 77 and China, said that a strong system of administration of justice in the Secretariat, combined with effective accountability mechanisms, was a prerequisite for efficient human resources management and harmonious staff-management relations. All staff members had the right to a fair and transparent internal justice system, in which impartiality was guaranteed. However, the current appeals process was slow and cumbersome, and improvements were overdue. Regrettably, the recent reform of human resources management had not resulted in a stronger internal justice system. Concrete reform proposals were needed. The Group therefore noted with appreciation

the recommendations of the Joint Inspection Unit in that regard.

14. The Group had looked forward with great interest to the consideration of the question of the administration of justice at the United Nations. However, the Committee had been unable to take up the item as scheduled because of the late issuance of the relevant documentation. Moreover, the Advisory Committee on Administrative and Budgetary Questions (ACABQ) had not been able to submit a report owing to the lack of clear information from the Secretariat on the resources needed to strengthen the internal justice system. The Group noted that, in order to give full consideration to the reform proposals, it was necessary to have a clear picture of the related resource requirements.

15. **Mr. Elkhuizen** (Netherlands), speaking on behalf of the European Union, said that the way justice was administered within the Organization had a significant impact on staff morale and productivity. The European Union therefore attached much importance to strengthening the administration of justice as a way of enhancing transparency within the Organization and improving the relationship between the staff and management.

16. The main problems were the amount of time taken to administer the process; the imbalance of resources available to the staff member (the appellant) and to the Organization (the respondent); and the concentration of responsibilities in the Department of Management, which could be seen as a conflict of interest. A more efficient system of justice would do away with the perceived inequality. The European Union would therefore carefully analyse the proposals aimed at harmonizing the statutes of the United Nations Administrative Tribunal and the International Labour Organization (ILO) Administrative Tribunal as a first step towards attaining that objective. In order to take any decision, however, the Committee needed to hear a clear proposal from the Secretariat as to the resources needed. The European Union therefore welcomed the suggestion that an addendum should be issued to the Secretary-General's report (A/59/449) setting out the requirements for the administration of the internal justice system. Given the time constraints, it would be appropriate to consider the item at the next resumed session.

17. **Mr. Kendall** (Argentina) said that the Secretariat was the backbone of the United Nations, bearing the load of the Organization's day-to-day work. It was therefore essential to ensure that the staff enjoyed the best possible legal guarantees. The report of the Office of Internal Oversight Services (A/59/408) was most useful, especially in its comparison between the various duty stations. His delegation supported a number of the recommendations contained in the report, especially those relating to the need to ensure equal resources for respondents and appellants. The report of the Joint Inspection Unit (A/59/280) was also interesting, although it was still premature to consider establishing a single administrative tribunal for the whole of the United Nations system. Before that happened, it was important to have more information on the compatibility of the various procedures and practices, as well as a cost-benefit analysis of harmonization.

18. As for compensation for members of the Administrative Tribunal, his delegation believed that, in view of the fact that the composition of the Tribunal had been brought closer to that of the ILO Administrative Tribunal, the honorarium of its members should, as suggested in the Secretary-General's report (A/C.5/59/12), be increased. His delegation also concurred with the proposal contained in the Secretary-General's report (A/59/78) that resources relating to the Administrative Tribunal should be transferred to Section 1, Overall policy-making, direction and coordination. His delegation looked forward to the report and proposals of the Advisory Committee, once the information on additional resources for the administration of justice had been analysed and the Committee had held a meeting with the ILO Administrative Tribunal.

19. **Mr. Muhith** (Bangladesh) said that a competent human resource management system was crucial for staff morale and productivity. It was therefore a matter for concern that the long-mooted overhaul of the administration of justice had yet to be addressed in a manner that would have a real effect on the backlog and the existing cumbersome system. Real reform was needed. It appeared from the Secretary-General's report (A/59/449) that the chronic delays and inefficiencies were largely caused by inadequate resources, especially with regard to staffing and training. Practical proposals should therefore be made by the Secretariat as soon as possible so that the

Advisory Committee could make the necessary recommendations for action to deal with the matter without further delay.

20. **Mr. Berti Oliva** (Cuba) said that ensuring the right of the staff to a transparent and impartial legal justice system would help the Organization to function better and make it more credible. The current serious situation should not be allowed to persist. The United Nations had never had a proper appeals system and his delegation would have preferred to see reforms to the administration of justice go hand in hand with those to human resource management. It was inequitable to continue strengthening the powers of the Administration at the expense of the staff. It was deplorable that no substantial improvements had been made, despite repeated appeals by the General Assembly.

21. The delay in issuing a number of documents relating to the agenda item under consideration — and many others — was unacceptable, since it had made it impossible to carry out a serious and detailed analysis of the question. It was also a matter for concern that the Advisory Committee had not yet submitted its report; there seemed to be no good reason for the delay. His delegation would wait until it received the report before making any further statement.

22. **Mr. Elji** (Syrian Arab Republic) said that his delegation had repeatedly emphasized that human resources management reform must be accompanied by reform of the internal justice system. In that connection, he noted the General Assembly's decision to devote a separate agenda item to the administration of justice at the United Nations and its wish to consider the item on an annual basis. Given the importance of the question, the late issuance of the relevant documentation was very regrettable. Moreover, many of the reports simply reproduced in extenso the content of previous reports.

23. It was the right of every staff member to have access to a fair and transparent internal justice system. Currently, the appeals process consisted of several stages: staff members wishing to contest a decision must submit a request for administrative review before they could file an appeal with the Joint Appeals Board, and they had no access to the United Nations Administrative Tribunal until their case had been disposed of by the Board. While the judgements of the Tribunal were rendered relatively quickly, his delegation was deeply concerned about the delays in the other stages of the process for deficiencies in the internal justice system adversely affected staff morale. His delegation would comment further on the matter when all the relevant reports were available.

24. **Ms. Udo** (Nigeria) said that her delegation attached great importance to the administration of justice at the United Nations. She recalled that the General Assembly, at its fifty-seventh session, had described the internal justice system as slow and cumbersome. Regrettably, little had changed in the past two years. As the Office of Internal Oversight Services (OIOS) had stated, the appeals process should be streamlined to make it shorter. Her delegation had taken note of the Office's proposals in that regard and would discuss them in detail at the appropriate time.

25. The administration of justice at the United Nations deserved serious consideration by the Committee. However, the relevant documentation had been received very late, and the Advisory Committee had not had all the information it required for thorough consideration of the question. She stressed that human resources management reform would not be complete until the crucial issue of the administration of justice, which touched on the lives of staff members, was addressed in a comprehensive manner, and she asked how many more years would be allowed to elapse before that occurred.

26. The questions of accountability, transparency and measures to mitigate conflicts of interest also merited serious attention. Her delegation had noted the Advisory Committee's intention to revert to those matters when it received the submission requested from the Secretariat. In the interim, it would appreciate information on the number of requests for administrative review and the number of appeals filed with the Joint Appeals Board. Lastly, it trusted that, when the Advisory Committee was finally in a position to submit its report on the item, an opportunity would be provided for delegations to comment on it.

27. **Mr. Krinshpun** (United States of America) said that his delegation wished to align itself with the statement made by the representative of the Netherlands on behalf of the European Union. While it attached great importance to the administration of justice at the United Nations, it would not make a formal statement on the item prior to the issuance of the Advisory Committee's report.

28. **Ms. Axenidou** (Department of Management), replying to the questions raised, said that 103 requests for administrative review had been submitted in 2001, 132 in 2002 and 247 in 2003, while 115 appeals had been filed with the Joint Appeals Boards in New York, Geneva, Vienna and Nairobi in 2001, 159 in 2002 and 145 in 2003.

29. **Ms. Udo** (Nigeria) said that it would be helpful to have that information in writing. She would also appreciate an indication of the nature of the decisions contested, as well as statistics for 2004.

30. **Ms. Axenidou** (Department of Management) said that, pursuant to General Assembly resolution 55/258, the Secretary-General reported to the Assembly annually on the number of appeals filed and disposed of in the previous year. The report on the outcome of the work of the Joint Appeals Board during 2004 would be finalized in early 2005. It would not be meaningful to provide data for 2004 before the end of the year, since in general more appeals were filed in December than in any other month.

31. **The Chairman** said that he would arrange for the responses given to be circulated in writing.

32. **Mr. Fiji** (Syrian Arab Republic) said that his delegation, too, wished to have figures for 2004, even if they were only approximate. It also wished to know how many of the appeals disposed of by the Joint Appeals Boards had been decided in favour of the staff and what percentage of the Board's recommendations in such cases had been accepted by the Secretary-General.

Organization of work

33. **The Chairman** said that the Committee was under great pressure of time. Several matters on the agenda remained outstanding. In addition, the following week, the Committee would have to consider a large number of reports and other documents relating to the programme budget. He therefore wished to request members to pursue consultations on the outstanding matters in informal informals in order to expedite the Committee's work.

34. **Mr. Al-Ansari** (Qatar), speaking on behalf of the Group of 77 and China, expressed concern that some reports would only be issued at the end of the main part of the session. The Group was not convinced by the explanations given for the late issuance of the reports because many were considered on an annual basis. It was regrettable that the Secretariat was issuing documents without any regard for the time constraints under which the Committee was operating or the relevant resolutions of the General Assembly. While the Group believed that the Committee should complete its consideration of all the items allocated to it, it recognized that that might not be possible. With respect to the holding of informal informals, it wished to emphasize that they should not overlap or take place in parallel with other meetings of the Committee. They should be listed in the *Journal of the United Nations*, so as to ensure the widest possible participation, and conference services should be provided if participants so requested. Any agreement reached in informal informals would need to be reviewed in a more formal setting.

35. **Mr. Abelian** (Secretary of the Committee) said that, in a number of cases, reports had yet to be issued because of circumstances beyond the Secretariat's control. For example, while the budget outline had been issued more than one month earlier, the Advisory Committee had yet to consider it. It was waiting until the end of November, as it always did, in order to have the most accurate forecasts of inflation and exchange rates for the United States dollar. Likewise, the Advisory Committee still had to consider a number of statements of programme budget implications; the Main Committees of the General Assembly had until 1 December 2004 to submit them. The Secretariat could, of course, list informal informals in the *Journal*, but it would need the agreement of the entire Committee to do so. The provision of conference services for informal informals would be problematic, since there would be programme budget implications. Moreover, pursuant to a decision of the General Assembly, with a few exceptions, meetings at Headquarters were no longer serviced after 6 p.m. He would discuss the matter with the Department for General Assembly and Conference Management.

36. **The Chairman** said that there would be an additional opportunity for reflection on any agreement reached in informal informals. While it was important for members to be flexible, he would ensure that no delegation would be disadvantaged as a result of the holding of informal informals. The late issuance of documentation had plagued the Committee throughout the session. Indeed, the Bureau had at first little control over the programme of work, which had been dictated

by the availability, or lack of availability, of documentation. He wished to emphasize, however, that the Committee secretariat had done everything possible to facilitate the smooth functioning of the Committee's work, notwithstanding those difficulties.

The meeting rose at 11.35 a.m.

United Nations A/C.5/59/SR.29

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Summary record of the 29th meeting
Held at Headquarters, New York, on Monday, 13 December 2004, at 10 a.m.

Chairman: Mr. MacKay ..... (New Zealand)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Kuznetsov

Contents

Agenda item 107: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Proposed programme budget outline for the biennium 2006-2007

Agenda item 108: Programme budget for the biennium 2004-2005 (*continued*)

Estimates in respect of special political missions, good offices and other political initiatives, authorized by the General Assembly and/or the Security Council

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive and first resumed substantive sessions of 2004

International Research and Training Institute for the Advancement of Women

Programme budget implications of draft resolution A/C.3/59/L.26: Future operation of the International Research and Training Institute for the Advancement of Women

Programme budget implications of draft resolution A/C.3/59/L.49: Situation of human rights in Myanmar

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Programme budget implications arising from the decision of the Chairman of the Sixth Committee at its 27th meeting of 19 November 2004: International convention against the reproductive cloning of human beings

Programme budget implications of draft resolution A/C.3/59/L.31 (as orally revised): International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Programme budget implications of draft resolution A/C.3/59/L.29/Rev.1: Rights of the child

Programme budget implications of recommendations contained in the report of the Committee for Programme and Coordination

Unforeseen and extraordinary expenses for the biennium 2004-2005

Agenda item 111: Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency

Organization of work

The meeting was called to order at 10.15 a.m.

Agenda item 107: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Proposed programme budget outline for the biennium 2006-2007 (A/59/415 and A/59/600)

1. **Mr. Heibwachs** (Controller), introducing the report of the Secretary-General on the proposed programme budget outline for the biennium 2006-2007 (A/59/415), said that, in accordance with the provisions of General Assembly resolution 41/213, the Secretary-General was required to submit, in off-budget years, an outline of the programme budget for the following biennium containing a preliminary estimate of resources to accommodate the programme of activities, priorities reflecting general trends of a broad sectoral nature, real growth, positive or negative, compared with the previous budget, and the size of the contingency fund expressed as a percentage of the overall level of resources.

2. The table in section II of the report contained a breakdown of the method employed to establish a preliminary estimate of resources needed for the biennium 2006-2007. The approved level of appropriations for 2004-2005, namely $3,179.2 million, had been taken as a starting point. That level had been adjusted in order to include full provision for those posts approved in the biennium 2004-2005 (an additional $11.2 million), to remove provision for one-time costs in the biennium 2004-2005 ($21.7 million) and to include provision for new or expanded activities or events foreseen and/or mandated in 2006-2007 ($16.5 million).

3. The estimated costs of special political missions had then been added to the subtotal of $3,179.2 million. It was estimated that full biennial provision in 2006-2007 for existing special political missions would exceed $350 million. The overall level of that provision was not expected to decrease and an increase of $180 million had therefore been included in the outline estimate, which would provide funding for special political missions at a level of $349.4 million in the biennium 2006-2007.

4. The outline requirements would be subject to recosting to biennium 2006-2007 costs, thereby reflecting changes owing to both inflation and exchange rates. In addition, a number of outstanding programme budget implications and revised estimates would need to be taken into account in the calculation of the total requirements. At present, the final figure was expected to be $3,745.6 million.

5. It was proposed that the programme budget for the biennium 2006-2007 should maintain the priorities set out in the proposed strategic framework for that period. As far as real growth was concerned, the preliminary estimate, before the inclusion of special political missions, maintained the level of regular budget established activities at the same level as the approved appropriations for the biennium 2004-2005, which was equivalent to zero real growth. Once account had been taken of the full inclusion of provisions for special political missions, the total preliminary estimate would represent an increase of 5.7 per cent compared with existing provisions for the biennium 2004-2005. With regard to the contingency fund, it was recommended to re-set the level at 0.75 per cent for the biennium 2006-2007.

6. **Mr. Kuznetsov** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) (A/59/600), said that the Committee would find detailed facts and figures in document A/59/600. However, he wished to remind members of the procedure followed by the Advisory Committee in the preparation of its report. Although the Secretary-General's report on the preliminary budget outline was usually prepared in the late summer or early autumn, the Advisory Committee always waited until December to submit its report, because, in order to obtain the most realistic and up-to-date estimates, the most recent costing adjustments, based on those contained in the first performance report, must be taken into account. Moreover, the estimates for 2006-2007 must also take into account proposals for security, special political missions and other revised estimates and programme budget implications currently before the Fifth Committee. Any information on those matters contained in the Advisory Committee's report was subject to adjustment in accordance with the relevant decisions of the General Assembly.

7. The preliminary estimate recommended by the Advisory Committee was almost $15 million higher than the figure obtained from updating and recosting the Secretary-General's initial proposal, because the

proposed level of expenditures for special political missions could add at least $30 million to the $180 million already predicted by the Secretary-General, not including any delayed impact for 2006-2007.

8. **Ms. Goicochea** (Cuba), referring to paragraph 5 of the Secretary-General's report, asked why the first sentence of that paragraph mentioned both "humanitarian assistance" and "humanitarian activities". Paragraph 7 of the report referred to the examination of the proposed programme budget for the biennium 2006-2007 by the Secretariat and stated that the budget proposals would reflect the benefit of further reviews of possible obsolete activities, additional cost-effective measures and simplified procedures. In that connection, she would be grateful to know which specific areas of the budget would be subject to those procedures.

9. **Mr. Repasch** (United States of America), also referring to paragraph 7 of the Secretary-General's report, wondered why the Secretariat had been able to come up with specific proposals for planned budgetary increases but had provided no details of possible cost-saving measures. He would be grateful for further information in that regard.

10. Turning to the report of the Advisory Committee, he was unclear as to the significance of the final sentence of paragraph 8. In addition, with reference to paragraph 10 of the report, he enquired as to the basis for the "rounding up" of the projection of $3,745.6 million to $3,760 million and wondered whether the Advisory Committee had based its recommendation on technical or political considerations.

11. **Mr. Sach** (Director of the Programme Planning and Budget Division), responding to the questions posed by the representative of Cuba, said that the double reference to "humanitarian assistance" and "humanitarian activities" in paragraph 5 of document A/59/415 was a drafting error. The fragment in question should read "resources are foreseen to strengthen human rights and humanitarian assistance, the economic and social sector, as well as the United Nations Office at Nairobi".

12. As far as paragraph 7 of that report was concerned, he recalled that the General Assembly, upon adopting the programme budget for the current biennium, had called for the continued implementation of regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation. That practice was to be carried over into the forthcoming biennium and the resulting savings would absorb any net growth. The figures contained in the report reflected the estimated position after the application of those measures. Since the purpose of the report currently before the Committee was merely to provide a preliminary estimate of the requirements for the biennium 2006-2007, the Secretariat would be unable to provide more detailed information until it issued the individual budget fascicles in early 2005.

13. **Mr. Kuznetsov** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), referring to the remarks made by the representative of the United States of America, said that, in paragraph 8 of its report, the Advisory Committee wished to make two points. First, it endorsed the Secretary-General's proposal on the size of the contingency fund and, secondly, it emphasized the need to respect the established procedure for notifying governing bodies of the level of the fund so as to enable them to take informed decisions involving programme budget implications.

14. The reasoning behind the Advisory Committee's decision to "round up" the projection would become apparent when the Fifth Committee took up the issue of special political missions. When the Secretariat had made its preliminary estimate of an additional $180 million for special political missions in October 2004, it had been unable to take into account the financial impact of more recent developments. By revising the figure upwards, the Advisory Committee was attempting to provide a more realistic projection of the resources required in the biennium 2006-2007.

Agenda item 108: Programme budget for the biennium 2004-2005 (*continued*)

Estimates in respect of special political missions, good offices and other political initiatives, authorized by the General Assembly and/or the Security Council (A/59/534, Add.1 and Add.2)

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive and first resumed substantive sessions of 2004 (A/59/393 and Add.1, A/59/542 and A/59/597)

International Research and Training Institute for the Advancement of Women (A/59/433, A/59/560 and A/59/579)

Programme budget implications of draft resolution A/C.3/59/L.26: Future operation of the International Research and Training Institute for the Advancement of Women (A/59/579 and A/C.5/59/16)

Programme budget implications of draft resolution A/C.3/59/L.49: Situation of human rights in Myanmar (A/59/579 and A/C.5/59/19)

Programme budget implications arising from the decision of the Chairman of the Sixth Committee at its 27th meeting of 19 November 2004: International convention against the reproductive cloning of human beings (A/59/597 and A/C.5/59/20)

Programme budget implications of draft resolution A/C.3/59/L.31 (as orally revised): International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (A/59/597 and A/C.5/59/21)

Programme budget implications of draft resolution A/C.3/59/L.29/Rev.1: Rights of the child (A/59/597 and A/C.5/59/22)

Programme budget implications of recommendations contained in the report of the Committee for Programme and Coordination (A/59/567 and A/C.5/59/13)

Unforeseen and extraordinary expenses for the biennium 2004-2005 (A/59/90 and A/59/551)

15. **Mr. Halbwachs** (Controller), introducing the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council (A/59/534/Add.1), said that it contained the proposed resource requirements for the period up to 31 December 2005 of 25 special political missions authorized by the General Assembly and/or the Security Council. The total estimated requirements for the extension of the missions amounted to $177,547,600 net. After taking account of the estimated unencumbered balances for each of the missions at the end of their current mandate periods, the additional amount sought pursuant to General Assembly resolution 41/213 amounted to $612,614,700.

16. In line with the Secretary-General's commitment to further refine results-based budgeting elements and to extend their application to other special political missions where applicable, the results-based budgeting techniques had been applied to 22 of the 25 missions discussed in the report. In addition, efforts had been made to further explore synergies and complementarities between various missions and other relevant entities of the United Nations.

17. He drew attention to tables 1, 2 and 3, which contained a breakdown of the estimated costs of the activities of special political missions, a summary of requirements by major component and staffing requirements, respectively, and pointed out that requirements varied greatly from mission to mission. The requirements for the two largest missions, namely the United Nations Assistance Mission in Afghanistan (UNAMA) and the United Nations Assistance Mission for Iraq (UNAMI), accounted for over 70 per cent of the total resource requirements. Although the mandate of the former was due to expire in March 2005, the Security Council was expected to extend it and the report therefore contained estimated requirements for the period from 1 January to 31 December 2005. The current mandate of UNAMI would expire on 11 August 2005, but the resource requirements proposed in the report had been formulated for an initial four-month period only. Additional funding beyond that period would be provided at an appropriate time in the light of developments over the forthcoming months.

18. It was anticipated that the United Nations Verification Mission in Guatemala (MINUGUA) and the United Nations Observer Mission in Bougainville (UNOMB) would not be extended. The resources for those Missions contained in the report related to the liquidation of their activities. In addition, the report contained resource requirements for the Special Envoy of the Secretary-General for Myanmar, even though the

mission was still under consideration by the General Assembly.

19. He drew attention to paragraphs 142 to 156 of the report, which contained details of the anticipated requirements for the Counter-Terrorism Committee Executive Directorate. In that connection, he underlined the Secretariat's desire to waive the six-month rule for the recruitment of consultants established pursuant to General Assembly resolution 51/226. The rationale behind that position had been provided as an addendum to the relevant report of the Advisory Committee.

20. The action required from the General Assembly was set out in paragraph 285 of the report.

21. With regard to the report of the Secretary-General on the request for a subvention to the Special Court for Sierra Leone (A/59/534/Add.2), the General Assembly, in its resolution 58/284 of 8 April 2004, had authorized the Secretary-General as an exceptional measure to enter into commitments to supplement the financial resources of the Special Court for Sierra Leone for the period from 1 July to 31 December 2004. As the funds necessary for the Special Court to continue operating had been available, the commitment authority had not been utilized and would shortly lapse. However, since the Secretary-General did not expect continued availability of funds, he had indicated, in paragraph 12 of the report, that approximately $20 million would be required for the period from 1 January to 30 June 2005. The Secretariat would return to the Committee at the Assembly's resumed fifty-ninth session with further details of requirements based on updated information.

22. The programme budget implications contained in the report of the Secretary-General on revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive and first resumed substantive sessions of 2004 (A/59/393) totalled $1,537,600, of which $964,000 could be absorbed. The requirements in excess of the amount approved in the 2004-2005 programme budget were summarized in the tables in paragraph 40 and in the annex to the report, and totalled $573,600, which would be charged against the contingency fund for 2004-2005. The additional requirements resulting from Economic and Social Council resolution 2004/69 on activities in the area of international cooperation in tax matters (see A/59/393/Add.1) were $294,900 for 2005, which could be absorbed within the resources approved for the biennium 2004-2005. The requirements for 2006 and beyond would be addressed in the context of the proposed programme budgets for the 2006-2007 and subsequent bienniums.

23. At the fifty-eighth session of the General Assembly, the Fifth Committee had proposed that $234,700 should be set aside in the contingency fund for 2004-2005 to provide the International Research and Training Institute for the Advancement of Women (INSTRAW) with complementary funds, if needed. At the second part of the resumed fifty-eighth session, the General Assembly had learned that there was no immediate need to draw on the amount set aside.

24. In adopting draft resolution A/C.3/59/L.[illegible], the General Assembly would decide to provide its full support to the current efforts to revitalize INSTRAW and to ensure that it was able to continue functioning for at least one year. The resources accordingly required would be $1,183,700. The remaining balance of the INSTRAW Trust Fund was sufficient to sustain it until the end of 2004, leaving a potential requirement for 2005 of $1,092,400 if the Trust Fund was not replenished. A provision for that amount would be made, chargeable to the contingency fund for 2004-2005, and must be considered in the context of the Fifth Committee's review of consolidated potential charges to the contingency fund.

25. In adopting draft resolution A/C.3/59/L.49, the General Assembly would request the Secretary-General to continue to provide his good offices and to assist his Special Envoy for Myanmar and the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar in discharging their mandates fully and effectively. For the one-year period from 1 January to 31 December 2005, that would require a net amount of $252,400, of which $6,200 could be met from the existing appropriation, leaving an additional resource requirement of $246,200.

26. In accordance with the proposal adopted by the Sixth Committee at its 27th meeting (see A/C.6/59/SR.27, para. 10), a working group to finalize the text of a United Nations declaration on human cloning would meet on 14, 15 and 18 February 2005. The Sixth Committee would then meet in the afternoon of 18 February 2005 to consider and take action on the report of the working group. All of those meetings

should take place in lieu of the meeting of the Ad Hoc Committee on an international convention against the reproductive cloning of human beings. However, while the meeting of the Ad Hoc Committee had already been included in the revised draft calendar of conferences and meetings for 2005, the meetings proposed for 14, 15 and 18 February 2005 had not. An additional appropriation of $37,500, charged against the contingency fund, would be required to make up the shortfall in the case of the proposed formal meeting of the Committee.

27. In adopting draft resolution A/C.3/59/L.31, as orally revised, the General Assembly would welcome the establishment of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and the report of its first session and would take note of its rules of procedure. That Committee had decided to request that the Secretary-General arrange for it two one-week sessions in 2005, in place of the single three-week session in the original budgetary estimates. That would not result in any additional programme budget requirements; the actual savings from the reduction in conference-servicing requirements accruing under section 24 of the programme budget would be reported to the General Assembly in the context of the second performance report for 2004-2005.

28. In adopting draft resolution A/C.3/59/L.29/Rev.1, the General Assembly would welcome the efforts of the Committee on the Rights of the Child to reform its working methods so as to consider the reports of States parties in a timely manner, including by working in two chambers as an exceptional and temporary measure for two years. The additional resource requirements associated with those efforts would be $702,200 for 2004 and $4,115,200 for 2005. The General Assembly would be required to make additional appropriations to cover 2005, while the additional requirements for 2006 would be dealt with when the proposed programme budget for 2006-2007 was discussed.

29. The General Assembly would request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Commission on Human Rights. Since its inception, the Office of the Special Representative had been financed through voluntary contributions. While a balance of unearmarked resources would remain at the end of December 2004, the Office would not have sufficient extrabudgetary resources to operate in 2005. Taking into account the new composition of the Office described in the report of the Secretary-General on the comprehensive assessment of the United Nations system response to children affected by armed conflict (A/59/331), its estimated net annual operating cost of $950,000 and the balance of voluntary contributions, additional resource requirements of $1,622,200 from the programme budget for 2004-2005 would arise, to be charged against the contingency fund.

30. The Committee on Programme and Coordination, in the report on its forty-fourth session (A/59/16), had recommended that the General Assembly should request the Secretary-General to take a number of steps aimed at increasing efficiency and productivity in the Secretariat. Those steps would include a feasibility study, in 2005, requiring the employment of a consultancy firm specializing in cost accounting and, therefore, an additional appropriation of $500,000 under section 29B of the budget for 2004-2005 to be charged to the contingency fund. That charge must be considered in the context of the consolidated statement of potential charges to the fund to be presented to the Fifth Committee towards the end of the main part of the current session of the General Assembly.

31. In its report on the Secretary-General's second performance report on the programme budget for the biennium 2002-2003 (A/58/604, para. 9), the Advisory Committee had recommended that the Secretariat should review whether the requirements under section 7, International Court of Justice, currently authorized under Assembly resolution 56/256 was adequate. The report of the Secretary-General on unforeseen and extraordinary expenses (A/59/90) had conducted such a review. It recommended that the General Assembly should take note of the report, change the ceiling for expenses that could be certified by the President of the Court without the prior concurrence of the Advisory Committee, with effect from 2006-2007, and maintain an amount of $400,000 in the Court's regular budget to accommodate recurring requirements for ad hoc judges.

32. **Mr. Kuznetsov** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the most important of the Advisory Committee's recommendations on special political missions related to presentation and format. It had noticed that two large missions, UNAMA and

UNAMI, accounted for more than 70 per cent of all the financial and staffing requirements for such missions. The Advisory Committee had originally called for a budgetary provision for special political missions and for consolidated reporting. However, it felt that ways must be found to consider large missions that took account of their size and complexity. It called on the Secretary-General to determine a format for consideration of initial estimates for those large missions and for monitoring their budgetary performance, treating them much as peacekeeping operations were treated. The Advisory Committee emphasized that it was not calling into question the designation of activities as special political missions, or their mode of funding.

33. The report on special political missions should be reorganized to present missions in clusters based on thematic or regional considerations. The Advisory Committee recalled its previous recommendations that arrangements in support of the Security Council should be streamlined so that they could be integrated with each other, thereby increasing efficiency and optimizing the use of staff and support services. It also called for more information on synergy and complementarity, for the use of aircraft, vehicles, facilities, equipment and human resources to be maximized, for travel, consultant and expert services to be fully justified and for coordination and integration on security requirements to be improved.

34. With regard to the second request for a subvention for the Special Court for Sierra Leone, the Advisory Committee was not in a position to make detailed recommendations on the level of financial assistance which the Court would require, because the detailed and justified budget submission would not be available until the resumed fifty-ninth session. If the General Assembly agreed to a further subvention, the Advisory Committee recommended the grant of a commitment authority rather than an appropriation, pending the submission of a detailed report.

35. The Advisory Committee had considered the programme budget implications of the draft resolutions on the situation of human rights in Myanmar (A/C.3/59/L.49), the international convention against the reproductive cloning of human beings (A/C.6/59/L.26), the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (A/C.3/59/L.31) and the Convention on the Rights of the Child (A/C.3/59/L.29/Rev.1), as well as the additional requirements resulting from Economic and Social Council resolution 2004/69, on activities in the area of international cooperation in tax matters, in a single document (A/59/597), which was straightforward and needed no introduction. Similarly, he saw no need to introduce in detail the reports of the Advisory Committee on revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2004 (A/59/542), on INSTRAW (A/59/579) and on unforeseen and extraordinary expenses (A/59/551).

36. In its report on the programme budget implications of the recommendations contained in the report of the Committee on Programme and Coordination (A/59/567), the Advisory Committee emphasized that cost-measurement exercises, which had been attempted in the past with varying degrees of success, should not be time-consuming and cumbersome, and that expenditure on them must be weighed against their potential benefits and practical usefulness.

37. **Mr. Al-Ansari** (Qatar), speaking on behalf of the Group of 77 and China, said that the Group had been unable to consider the reports of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives, authorized by the General Assembly and/or the Security Council (A/59/534/Add.1 and Add.2), and the related comments of the Advisory Committee, because the documents had been issued late. It would nevertheless give due consideration to the resource requirements.

38. In accordance with the Charter, only the General Assembly could consider and approve the budget of the Organization, and the Secretary-General appointed its staff under regulations adopted by the General Assembly. The Group would therefore be guided in its consideration of the present agenda item by Articles 17, 97, 100 and 101 of the Charter, by rule 153 of the rules of procedure of the General Assembly and by rule 5.9 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (PPBME).

39. The Group shared the view expressed by the Advisory Committee in paragraph 12 of its related report (A/59/569/Add.1) that the security requirements and arrangements of special political missions must be

closely coordinated with the Office of the United Nations Security Coordinator so as to avoid duplication and ensure a more integrated approach, with clear lines of authority and accountability.

40. The Committee should consider programme budget implications in accordance with the principles of operation of the contingency fund established by the General Assembly in resolutions 41/213 and 42/211. Although programme budget implications and revised estimates appeared to remain within the limits of the fund, he would like to know whether other matters under consideration in the plenary Assembly and other Main Committees were likely to affect the level of the fund.

41. The Group noted that the report of the Secretary-General on the proposed programme budget outline for the biennium 2006-2007 (A/59/415) had been presented in accordance with General Assembly resolution 41/213, and wished to emphasize that it was a preliminary estimate. It had also noted the view of the Advisory Committee, in paragraph 9 of its related report (A/59/600), that the overall estimated requirements for 2006-2007 would depend on the decisions of the General Assembly on the proposals currently before the Fifth Committee. Finally, it concurred with the proposals of the Secretary-General to include in the outline the total amount for special political missions and to maintain the level of the contingency fund at 0.75 per cent of preliminary estimates, as well as with the priorities described in paragraph 9 of his report (A/59/415).

42. Turning to INSTRAW, the Group welcomed the appointment of Ms. Moreno as Director and the adoption of a programme of work for 2005, a strategic plan for 2004-2007 and a portfolio of projects and related budget. The expansion of research, fund-raising, cooperation and communication with United Nations entities, civil society, academic institutions and the private sector addressed the needs of developed and developing countries alike, underscoring the Institute's international character.

43. As INSTRAW was the only United Nations entity devoted exclusively to research, training and the dissemination of information on gender equality, his Group called on all Members of the Organization to support its revitalization efforts. Voluntary contributions, which had come from sources including developing countries, must continue during the current critical transitional period.

44. **Mr. Elkhuizen** (Netherlands), speaking on behalf of the European Union, the candidate countries Bulgaria, Croatia, Romania and Turkey, the stabilization and association process countries Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, and, in addition, Iceland, Liechtenstein and Norway, said that the Secretary-General's report on special political missions should be reformatted into clusters based on regional or thematic considerations. The European Union supported the aim of improving the presentation and transparency of budgetary information with a view to facilitating the Committee's considerations, but wished to emphasize its commitment to the continuation of consolidated reporting on special political missions. It welcomed the extensive use of results based budgeting in the report, as well as the inclusion of information regarding the complementarities and synergies achieved between the various missions and other United Nations entities. It looked forward to the inclusion of more information in future reports, as recommended by the Advisory Committee, and agreed with ACABQ that the Secretary-General should make every effort to ensure the most rational use of resources while avoiding duplication and overlap.

45. **Ms. Attwooll** (United States of America) said that her delegation fully supported the Secretary-General's proposals on the resource requirements for special political missions, good offices and other political initiatives. The work of his special representatives and special envoys was a critical part of country- and regional-specific initiatives for maintaining peace and security. The successful fulfilment of the mandate of MINUGUA and the imminent closure of UNOMB had demonstrated that such work had a real and direct impact at the country level. The United States supported the efforts of the Secretary-General and his staff to achieve similar success with the remaining 24 missions currently being implemented.

46. The activities of special political missions were often a critical precursor to broader United Nations involvement in a particular issue. That was particularly true in the case of the Sudan, where the work of the Secretary-General's Special Representative had been essential in facilitating steps towards a lasting peace

agreement. Her delegation fully supported the recent provision for the Special Representative's continued work and would welcome further information on increased efficiency and savings resulting from the collaboration between the special political missions and good offices and other United Nations entities.

47. **Mr. Repasch** (United States of America) said that, with respect to the report of ACABQ on unforeseen and extraordinary expenses (A/59/551), the proposal that a continuing provision of $400,000 should be established in the regular budget of the International Court of Justice seemed to be a compensatory gesture, in conjunction with the reduction in the ceiling for unforeseen and extraordinary expenses that could be certified by the President of the Court, without prior approval, for the designation of ad hoc judges. His delegation did not see the value of allocating fixed budgetary resources that were contingent in nature. Although there was an increasing need for ad hoc judges, the President of the Court should continue to seek approval before entering into commitments leading to their appointment. That would require the President of the Court to be more accountable to Member States.

48. With regard to the request for a subvention to the Special Court for Sierra Leone his delegation attached a high priority to the work of the Special Court and supported the proposals before the Committee, including the recommendations of ACABQ. With regard to the programme budget implications of the international convention against the reproductive cloning of human beings, his delegation expected that the conference-servicing requirements would be absorbed within the level of the budget.

49. Referring to paragraph 4 of the report of INSTRAW (A/59/560), his delegation wished to know what purpose the Executive Board served, if it did no more than meet to approve a budget, without developing a financing plan. INSTRAW had been established as an activity to be funded through voluntary contributions. While the United States generally supported the goal of the advancement of women, it was disappointed that the Executive Board and the current leadership of INSTRAW had not been successful in fulfilling the terms of the Institute's mandate.

50. Lastly, he noted that in paragraph 10 of its report on the programme budget implications of recommendations contained in the report of the Committee for Programme and Coordination (A/59/567), ACABQ recalled that cost-measurement exercises had been attempted by the United Nations and its funds and programmes on a number of occasions since the 1970s, with varying degrees of success. His delegation would be grateful for information about those attempts and their outcomes. He also wondered whether ACABQ, like his delegation, agreed with the recommendation of the Committee for Programme and Coordination that plans to develop a cost-accounting system within the United Nations Secretariat should proceed, and whether ACABQ had any thoughts about how such a system might be implemented.

51. **Mr. Lithgow** (Dominican Republic) said that his delegation wished to associate itself with the statement made by the representative of Qatar on behalf of the Group of 77 and China, as well as with those made by other delegations in support of INSTRAW. The Dominican Republic wished to reiterate its unconditional support for INSTRAW, as well as for the work of its Director, Ms. Carmen Moreno. During the few months since her appointment, INSTRAW had begun to make real progress towards its goal of promoting the advancement of women. His delegation urged all Member States to give INSTRAW all the support it required to continue implementing its programme of work.

52. **Mr. Simancas** (Mexico) said that the fact that the most recent actions of INSTRAW were aimed not only at developing countries but also at developed countries demonstrated the international nature of the Institute as an integral part of the United Nations system. If INSTRAW were provided with adequate support and financing, it would be possible to make progress in the basic strategies outlined in the Beijing Platform for Action. His delegation recognized the importance of making voluntary contributions to INSTRAW. Mexico had contributed $75,000 during 2004, and had also provided human and material resources, and it urged Member States to make voluntary contributions, especially during the Institute's critical transition period.

53. **Mr. Mumbey-Wafula** (Uganda) said that his delegation wished to associate itself with the statement made by the representative of Qatar on behalf of the Group of 77 and China. With respect to the report on the rights of the child, contained in document

A/C.5/59/22, his delegation wished to reiterate its displeasure at the operations of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict. As his delegation had previously made clear, the Secretary-General's report on the comprehensive assessment of the United Nations system response to children affected by armed conflict (A/59/331) would be the most appropriate point of departure for discussing alternatives for funding the Office.

54. His delegation continued to be concerned at the mandate of the Office, which focused on advocacy, monitoring and reporting to the Security Council. Its reports continued to lack content and analysis, and the lack of systematic monitoring and reporting systems should be addressed. His delegation was particularly concerned at the politicization of the Office and called on the Secretary-General to address its concerns in that regard. The agenda of the Office must be given additional support, beyond regular funds, and funding for development programmes, especially those aimed at crisis-prevention and recovery, was essential. His delegation would support the proposals of the Secretary-General contained in document A/C.5/59/22, on the understanding that the process of streamlining the Office would take into account the need for facilitative leadership. On that basis, his delegation would support the overall provision for the Committee on the Rights of the Child, as well as the provision of $950,000 for the Office of the Special Representative for Children and Armed Conflict. Lastly, with regard to the estimates in respect of the Office of the Special Representative of the Secretary-General for the Great Lakes Region, contained in document A/59/534/Add.1, his delegation would support the proposed budget of $1,963,900, but was concerned at the nature and content of staffing and called on the Secretary-General to address that concern.

55. **Mr. Pulido León** (Bolivarian Republic of Venezuela) said that his delegation wished to associate itself with the statements made by the representative of Qatar on behalf of the Group of 77 and China and by the representative of Mexico. It welcomed the direction taken by INSTRAW in its efforts to promote women's advancement and to involve women in development, through training. The report on the financial situation of INSTRAW (A/59/433) indicated that there had been strict budgetary control and tangible progress since Ms. Carmen Moreno had taken over as Director, in contrast to the situation seen in previous years. Its financing strategy was based on building stronger alliances with financing partners, most of which were from developed countries, providing further incentive to other Member States to offer their support. His delegation was also gratified to learn that INSTRAW had taken into account and acted on the recommendations of the Office of Internal Oversight Services (OIOS) with a view to enhancing the transparency of its operations.

56. **Mr. Kozaki** (Japan) said that his delegation endorsed the recommendations of ACABQ, as contained in section II of document A/59/569/Add.1, as well as the proposal, contained in paragraphs 7 and 8 of the document, to cluster information on the cost of special political missions. With regard to United Nations activities in the Sudan, his delegation would be grateful for information concerning whether there was any duplication or overlap between the special political missions and the peacekeeping operations. It would also welcome additional information concerning efforts to seek voluntary contributions to the Cameroon-Nigeria Mixed Commission.

57. With respect to the Special Court for Sierra Leone, his delegation was not in a position to approve a subvention to a body that had been established on the understanding that it would be funded through voluntary contributions, especially in light of the information provided in document A/59/534/Add.2. With respect to the proposed programme budget outline, his delegation noted the contents of the Secretary-General's report (A/59/415), as a preliminary indication of the resources required for the biennium 2006-2007. With respect to paragraph 7 of the report, his delegation would carefully study the proposed programme budget for the biennium 2006-2007, with a view to ensuring that regulation 5.6 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation was fully respected. Lastly, with respect to INSTRAW, he noted that Japan had voted against the adoption of resolution A/C.5/59/L.26, on grounds of budgetary discipline, rather than gender issues.

58. **Ms. Goicochea** (Cuba) said that her delegation endorsed the statement made by the representative of Qatar on behalf of the Group of 77 and China, as well as the statements made by Mexico and the Dominican Republic concerning INSTRAW. Estimates for special

political missions, particularly those in Iraq and Afghanistan, which involved significant human and financial resources, should be presented in an independent and transparent manner, as was the case with peacekeeping operations, and should be properly monitored by the General Assembly. Her delegation supported the recommendation of ACABQ that the results-based budgeting approach for such operations should be improved.

59. With regard to the Counter-Terrorism Committee Executive Directorate (CTED), referred to in document A/59/534/Add.1, she recalled the decision of the Security Council that CTED should be regarded as a special political mission. Moreover, in paragraph 4 of Security Council resolution 1535 (2004), the Security Council had called for an effective, cooperative management structure for the new body, which should be staffed by suitably qualified and experienced personnel, who would be international civil servants subject to Article 100 of the Charter of the United Nations. Her delegation wondered why they were not subject to Article 101 of the Charter, according to which staff should have the highest standards of efficiency, competence and integrity, and should come from as wide a geographical basis as possible. The Security Council had once more encroached on the prerogatives of the General Assembly, thereby confirming an established trend. Her delegation would be grateful if the Secretariat could give the Committee more information about the structure of CTED, as well as about the surprising level of resources requested for travel expenditures.

60. **Mr. Elji** (Syrian Arab Republic), associating himself with the statement made by the representatives of the Group of 77 and China and of the Dominican Republic on INSTRAW, said that his Government attached great importance to the work of the Institute. He called on the international community to give INSTRAW the necessary financial support to strengthen its activities.

61. **Mr. Zaluar** (Brazil) said that the Rio Group fully associated itself with the statements made by the representative of Qatar, on behalf of the Group of 77 and China, and by the representatives of the Dominican Republic, Mexico and Venezuela, in support of INSTRAW. He recalled that OIOS had conducted a comprehensive review of INSTRAW in 2002 and had put forward 13 recommendations, all of which were being fully implemented by the Executive Board and by the current Director. Recommendation (e) stated that the Secretary-General should propose to the General Assembly that it consider the need to continue the temporary funding of the core operations of INSTRAW from the United Nations regular budget until the Working Group on the Future Operation of the International Research and Training Institute for the Advancement of Women had completed its in-depth assessment of the Institute and made its final recommendations concerning its sustainability. The observations of OIOS on the Institute's governance and autonomy had been duly addressed by the General Assembly and the Economic and Social Council through their endorsement of the recommendations made by the Working Group and had led to a revision of the Statute of INSTRAW. The Executive Board, which had replaced the Board of Trustees, had held its first session in July 2004 and had subsequently met with the recently appointed Director, Ms. Carmen Moreno, in October 2004. It had concluded that the lack of trust on the part of the donor community had caused difficulties for the Institute, which were compounded by the two-year vacancy for the position of director prior to Ms. Moreno's appointment.

62. The funds provided for under General Assembly resolution 58/244 to ensure the Institute's core operations had not been necessary in 2004. However, 2005 would be a critical year during which the General Assembly would be able to fulfil its commitment to ensure the long-term viability of INSTRAW, as expressed in resolutions 57/175 and 58/244, by approving the modest proposal before the Committee.

63. **Mr. Jonah** (Sierra Leone) said that he wished to follow up on the positive remarks made by the representative of the United States of America with respect to the request for a subvention to the Special Court for Sierra Leone. The Court played a critical role in the efforts to promote peace, security and stability in a post-conflict environment. His Government fully supported the prudent management by the Secretariat of the Court and hoped that the report of the Secretary-General on the request for a subvention to the Special Court for Sierra Leone (A/59/534/Add.2) would receive the Committee's full endorsement.

64. **Ms. Lock** (South Africa), associating herself with the statements made by the representatives of Qatar on behalf of the Group of 77 and China and of Brazil on behalf of the Rio Group with respect to INSTRAW, said that she wished also to add her voice to those who

had spoken in support of granting a subvention to the Special Court for Sierra Leone. The Special Court was a practical demonstration of the international community's support for strengthening the administration of justice in Sierra Leone. It was critical to national reconciliation and to the broader peace process there.

65. With respect to the subvention, she recalled the Secretary-General's preference for financing the Court through assessed contributions to ensure its secure and continuous funding. Security Council resolution 1315 (2000), however, had approved a financing mechanism based on voluntary contributions. Nevertheless, the Security Council did not object to the approach of the Secretary-General to request a subvention from the General Assembly when the Court faced financial constraints. Thanks to the availability of voluntary contributions, the Special Court had not required access to the funding authorized under General Assembly resolution 58/284. She noted with concern, however, that the Court was expected to exhaust all of its available voluntary contributions and a subvention would be required at the start of 2005. Her delegation would not support any decision that would jeopardize the operation of the Special Court and have a negative impact on the peace process in Sierra Leone. The Court proceedings must not be disrupted. Their success would demonstrate Member States' unequivocal stance against impunity and act as a deterrent to human rights abuses elsewhere. Her delegation would have difficulty in supporting any decision on the financing of special political missions that did not include a provision for a subvention to the Special Court for Sierra Leone.

66. With respect to the programme budget implications resulting from decisions and resolutions adopted by the Economic and Social Council, many of which her delegation supported, she noted that they fell within the level of the contingency fund. In that connection, it was not advisable to discuss items that were under the purview of other committees and organs. She trusted that the Committee would focus its discussions on the financial aspects of agenda items and supported the statement made by the representative of Qatar on behalf of the Group of 77 and China regarding the role of the General Assembly.

67. **Mr. Pulido León** (Bolivarian Republic of Venezuela) said that he wished to associate himself with the statement made by the representative of the Dominican Republic. He requested the Controller and the Chairman of the Advisory Committee to circulate their reports in writing.

68. **Ms. Udo** (Nigeria), fully associating herself with the statements made by the representative of Qatar on behalf of the Group of 77 and China, and by the representatives of South Africa and Sierra Leone, said that, like the representative of Cuba, she noted with concern that Committee members had not had sufficient time to study the reports of the Secretary-General carefully and to consult with one another. She took note of the request by the representative of Japan for additional information on the outcome of efforts to raise extrabudgetary funds in support of United Nations work under the good offices of the Secretary-General, particularly with respect to the Cameroon-Nigeria Mixed Commission, and awaited clarifications from the Secretariat in that regard. Her delegation attached great importance to the work of the Special Court, which must be properly funded. Lastly, it placed great importance on the rights of the child.

69. **Mr. Ng'ongolo** (United Republic of Tanzania), speaking on the Secretary-General's statement on the programme budget implications of draft resolution A/C.3/59/L.29 on the rights of the child (A/C.5/59/22), said that his delegation was deeply concerned that donors had not been contributing funds to maintain the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and that the available extrabudgetary resources were expected to be exhausted by the end of 2004, thereby undermining the mandate of the Office. His delegation therefore emphasized the need to support the Office through regular budget funding.

70. **Mr. Kuznetsov** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), responding to the request for clarification on the programme budget implications of the recommendations contained in the report of the Committee for Programme and Coordination, said that cost-accounting techniques drawing on the best international practices could benefit Member States, the Advisory Committee and the Secretariat. The Advisory Committee was therefore interested in pursuing such advanced techniques. He recalled that studies on cost-accounting techniques had been undertaken with respect to conference services and OIOS, but because the United Nations did not have the necessary expertise to conduct a feasibility study on the implementation of cost-accounting techniques, it

would have to turn to the private sector and the costs and results of such a study could not be reliably projected. ACABQ had made several appeals to develop cost-accounting techniques. If a feasibility study were undertaken, it should seek to produce techniques that were efficient, easy to administer and practical.

Agenda item 111: Administrative and budgetary coordination of the United Nations with the specialized agencies and the International Atomic Energy Agency

Statistical report of the United Nations Chief Executives Board for Coordination on the budgetary and financial situation of the organizations of the United Nations system (A/59/315)

71. **Mr. Sevilla** (United Nations System Chief Executives Board for Coordination), introducing the report on the budgetary and financial situation of organizations of the United Nations system, said that the current biennial report was the second of its kind to be presented by the United Nations System Chief Executives Board for Coordination. The report provided statistical data covering, inter alia, regular budgets and assessed contributions, working capital funds and expenditures, and receipts of voluntary contributions. As in prior reports, data relating to extrabudgetary peacekeeping operations were excluded. They could be found in the Secretariat's monthly report on the status of contributions. Lastly, the footnotes accompanying the tables in several cases sought to clarify individual figures and provide general explanations about the data presented.

72. **The Chairman** proposed that the Secretariat should prepare a draft decision for consideration by the Committee by which the Committee would recommend to the General Assembly to take note of the note by the Secretary-General transmitting the statistical report of the United Nations System Chief Executives Board for Coordination on the budgetary and financial situation of the organizations of the United Nations system (decision 47/449).

73. *It was so decided.*

Organization of work

74. **The Chairman** said that a number of delegations had requested that meeting time should be set aside to discuss the United Nations web site.

75. **Mr. Elkhuizen** (Netherlands), speaking on behalf of the European Union and supported by **Ms. Attwooll** (United States of America) and **Mr. Kozaki** (Japan), recalled the reminder from the President of the General Assembly that the current week would be the last of the main part of the Assembly's fifty-ninth session. The remaining workload was substantial and it would be difficult to add to it. Perhaps the Bureau could discuss the issue, taking into account the positions of the European Union and other delegations.

76. **Mr. Elji** (Syrian Arab Republic), supported by **Ms. Goicochea** (Cuba), **Mr. Tal** (Jordan), **Mr. Abbas** (Pakistan), **Ms. M'Rabet** (Tunisia) and **Ms. Wang** Xinxia (China), said that the web site was only one of many sub-items for discussion under agenda item 108, but it was an important one. The operation of the web site had been under constant financial threat, and the Committee had discussed but never pursued the proposals which the Secretary-General had made for remedial action two years previously. The report of the Secretary-General on strengthening the Department of Public Information, within the existing capacity, in order to support and enhance the United Nations web site in all official languages of the Organization: status of implementation (A/59/336) indicated that the opportunity for redeploying existing resources was diminishing. The Committee should discuss the issue even though it would add to its burden of work.

77. **Mr. Simancas** (Mexico) said that he agreed with those who had spoken in support of the proposal to discuss the web site, but wondered if the Bureau could give the Committee details of the latest proposed programme of work.

78. **The Chairman** said that the Bureau would discuss the matter, guided by the views it had heard at the current meeting.

The meeting rose at 1 p.m.